



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Tina Brooks, Undersecretary

**CHAPTER 149 BIDDING REQUIREMENTS
FOR
CONSTRUCTION CONTRACTS BETWEEN
\$0 - \$10,000**

INSTRUCTIONS TO AWARDING AUTHORITIES

Local Housing Authorities are required to follow MGL c.149 § 44A (2)(A) for construction work that costs between \$0 and \$10,000. The statute reads as follows:

"Every contract for the construction, reconstruction, installation, demolition, maintenance or repair of any building by a public agency estimated to cost less than \$10,000 shall be awarded to the responsible person offering to perform the contract at the lowest price quotation; provided, however, that the public agency shall seek written price quotations from no fewer than 3 persons customarily providing the work for which the contract is being made available.

When seeking written quotations the public agency shall make and keep a record of the names and addresses of all persons from whom price quotations were sought, the names of the persons submitting price quotations and the date and amount of each price quotation..."

To help LHAs accomplish this we are providing this template.

The LHA must prepare a Scope of Work. The following General Provisions & Forms are provided in this document to help LHAs prepare contract documents that meet all necessary statutory obligations and help protect the LHA if there should be any problems during the execution of the work.

1. ☐ **The LHA should prepare a Scope of Work. All Bidders Must Quote on the Exact Same Scope of Work.** Therefore, the LHA must produce such a scope. Remember the Awarding Authority determines its needs you cannot have Bidders determine what the Scope of Work will be.
2. ☐ **LHAs must seek at least 3 written quotes** for the work described in the Scope.
The LHA should maintain a file which includes the name of all vendors contacted. If only one vendor responds who is satisfactory and can comply with the published requirements you may award to this vendor.
You can use the sample Bid Form to help obtain these quotes.
3. ☐ **All work over \$5,000 must have a signed contract.** (Keep a copy on file.) The sample included in the template can be used to meet this requirement.
4. ☐ **Mass Prevailing Wage Rates Apply to ALL CONSTRUCTION CONTRACTS** regardless of the dollar value. The LHA is responsible for requesting these rates from the Division of Occupational Safety prior to seeking written quotes. The printed wage rates should be attached to the scope of work, along with the General Provisions. All rates are project specific and are in affect for the duration of the job.